



RICHMOND POLICE DEPARTMENT GENERAL ORDER

NOTE: This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be constructed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Chapter 6	Number 5	Effective Date 05/29/09	Review Date 2012
Subject UNIFORM NOTICE OF VIOLATION (UNOV)			☐ New Order ☒ Replaces G.O. 6-5, (01/28/05)
References CALEA 61.4.3a-c VLEPSC OPR.07.12b, OPR.07.12c, OPR.07.12d, OPR.07.12e			
 _____ Chief of Police or Designee		05/29/09 _____ Date	

I. PURPOSE

The purpose of *this directive* is to establish the policy and procedure for the completion and issuance of the Uniform Notice of Violation (UNOV).

II. POLICY

It is the policy of the Richmond Police Department that enforcement of environmental nuisances plays an important role in the overall living conditions in a safe and healthy community. Environmental nuisance conditions such as accumulation of refuse, high weeds and grass, improperly maintained pet areas and inoperable vehicles are symptoms of neglect in a community. When a neighborhood is plagued by these conditions, the community is *more* susceptible to crime.

III. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this General Order. Failure to comply will result in appropriate corrective action. Responsibility rests with the Division Commander to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated.

IV. PROCEDURE

A. Authorized personnel in the following *City of Richmond* agencies are *authorized* to issue the UNOV:

1. Police *Department*;

2. **Department of** Community Development;
3. **Department of** Public Works;
4. **Department of** Fire and Emergency Services; *and*,
5. **Department of** Public Utilities.

B. **Authorized** personnel must follow standard Fourth Amendment law when inspecting properties for the purpose of determining whether or not to issue *a* UNOV. **Fourth Amendment search and seizure rules shall apply to all UNOVs.** The UNOV is not a summons. It is a notice to the tenant or owner of the property that violations exist and must be abated in 48-hours *of* the prescribed time. Failure to correct the situation may result in the issuance of a summons and a court appearance for violation of one of the City Code sections listed on the UNOV. It may also prompt the City to abate the violation at the expense of the person identified in the notice. The 48-hour time limit may be extended, at the officer's discretion, when appropriate. ***If the time limit is extended, it is the officer's*** responsibility to mark through the 48-hours and insert the new deadline. At no time will a time extension be granted beyond 30 days.

1. A UNOV for a vacant lot or structure shall be issued to the owner or person otherwise in charge of the vacant lot or structure.
2. When a summons is issued, the court does not receive a copy of *the* UNOV.
3. If it is necessary to mail a copy of a UNOV ***to an owner*** as notification, it shall be sent via certified mail. A courtesy or carbon copy to an owner may be sent first *via* class mail.

NOTE: Personal Service must be proved ***by the issuing officer.***

4. The officer or employee who issues the UNOV shall be responsible for all follow-up and court actions associated with that notice.

Exception: **Community Assisted Public Safety (CAPS)** officers will follow-up all UNOVs issued in regards to vehicles. The assigned CAPS officer will take all necessary follow-up steps for the towing of vehicles and the issuance of any summonses to the affected land owner. The officer or employee issuing the UNOV for an environmental vehicle infraction shall forward all additional copies of the UNOV to the CAPS officer assigned to the ***affected*** area.

C. Information contained ***on*** a UNOV:

1. The name of the recipient;
2. The person causing or creating the condition;
3. The person allowing the condition to remain or continue;

4. The occupant of the land or premises;
5. The owner of the land or premises;
6. The social security number and date of birth of person being served;
7. The address of the person to whom the notice is delivered or issued to;
8. The address where the violation occurred;
9. Check box #1, when citing a property for accumulation of refuse: trash, debris, etc.;
10. Check box #2, when citing for grass and weeds in excess of 12 inches;
11. Check box #3, if unsanitary pet areas are found;
12. Check box #4, if inoperable and unlicensed vehicles are on private property. Include:
 - a. The manufacturer of the vehicle;
 - b. The model or type of vehicle;
 - c. The vehicle year/color of vehicle;
 - d. Vehicle license number displayed on plates. Use "N/V" if not visible or "None" if not displayed;
 - e. Month and year of expiration of plates. Use "N/V" if not visible or "None" if not displayed;
 - f. State displayed on plates. Use "N/V" if not visible or "None" if not displayed;
 - g. State inspection expiration date. Use "N/V" if not visible or "None" if not displayed;
 - h. Vehicle identification number;
 - i. Check box if the vehicle has extensive damage, which would not allow it to be driven;
 - j. Check box if no valid inspection and plates are displayed; and,
 - k. Check box if there are obvious parts missing that would prevent operation;
13. Check box #5 for other violation, if needed;
 - a. This section is to be used for citing other specific violations that may be present at the location. ***Other violations should not be cited by Police***

Department employees who have not received specialized training on specific Code Enforcement issues. CAPS officers for the assigned area should be contacted for assistance with these violations.

- b. Comments relating to vehicle or multiple vehicle identifications. This section should be used for additional information that would be used in court. Description of missing parts, location of vehicle, etc.
- 14. Specific orders for correction or comments. If there are specific instructions that must be followed, additional comments, or an abatement date different than 48 hours, this is the place for that information;
- 15. The issuing officer or inspector's name;
- 16. A phone number where the person receiving the UNOV may contact the issuing officer or inspector;
- 17. The date the notice is issued or delivered;
- 18. The time the notice is issued or delivered;
- 19. Obtain the signature of the individual recipient who is in violation;
- 20. Check box for one the following:
 - a. Abated;
 - b. Court; or,
 - c. Other.

NOTE: Write any comments. If the Court box is checked, list the outcome in the boxed area.

NOTE: The 48 hours begins when the UNOV is delivered or issued.

D. The distribution of the UNOV is as follows:

- 1. White copy – this copy shall be turned in to the CAPS officer of the issuance area on a daily basis and forwarded weekly to the Code Action Teams (CATS) of the issuance area. This document will be used for tracking purposes within ***the Department of*** Community Development.
- 2. Yellow copy – this copy will be retained in the officer's possession until compliance is met or a decision has been rendered by the Court. This copy will be used for court purposes in testimony. When abatement/compliance is met, the yellow copy will be turned in to the designated CAPS officer.
- 3. Pink copy – this copy will be ***placed in the CAPS mailbox at the precinct.***

4. Gold copy – this copy will be issued to the recipient (owner/occupant) who is in violation.

E. Duties and Responsibilities of the CAPS Officer:

1. On receipt of the white copy, the CAPS officer shall enter the information on the UNOV Tracking Sheet.
2. The CAPS officer, *CAPS supervisor or designee each day delivers the Narcotics Information Sheets (PD-52)* to the *Department of Community Development's* unit secretary to be entered into the *Community Development Code Enforcement (CDCE)* System. *If the unit secretary finds that drugs have been found inside a building (house, apartment, etc.), the owner will receive a letter requesting clean up of the property within a designated timeframe. If drugs are found in commercial buildings, they will be logged on a spreadsheet but letters will not be sent.*
3. *If the violations are not corrected within the designated timeframe, further action will be taken. CAPS officers shall handle all violations involving inoperable vehicles on private property. Issuing officers shall be responsible for other violations.*
4. The CAPS officer, on receipt of the yellow copy, will enter the disposition on to the UNOV Tracking Sheet. In the event that the yellow sheet is not received after the scheduled compliance date, the CAPS officer shall:
 - a. Generate a UNOV follow-up letter to the subject officer, if the subject officer fails to respond;
 - b. Generate an UNOV follow-up letter and forward to the affected officer's supervisor, if no response is received; *and,*
 - c. Notify the Officer-in-Charge (*OIC*) of CAPS of all actions taken.

F. Issuance of blank UNOV *Forms*:

1. The CAPS Unit shall make the forms available to the precincts as needed. All blank UNOV *forms* shall be issued in serial numbered lots to the precincts.
2. Precinct Supervisors shall issue the UNOV *forms* to the individual officers assigned.
3. Requests for additional UNOV *forms* will be forwarded to the Community Assisted Public Safety Office.

V. **ROLES AND ACCOUNTABILITY**

A. *Personnel authorized to issue a UNOV shall:*

1. *Follow standard Fourth Amendment law when inspecting properties for the purpose of determining whether or not to issue a UNOV;*

2. *Have the authority to extend abatement time periods, not to exceed 30 days;*
3. *Issue a UNOV for a vacant lot or structure to the owner or person otherwise in charge of the vacant lot or structure;*
4. *Mail a UNOV to the owner as notification via certified mail, if necessary;*
5. *Have the option to send a carbon copy of the UNOV to an owner via first class mail;*
6. *Be responsible for all follow-up and court actions associated with sent notices except inoperable vehicles on private property;*
7. *Forward all additional copies of the UNOV to the assigned CAPS officer to the affected area for an environmental vehicle infraction;*
8. *Turn in white copies of the UNOV to the CAPS officer of the issuance area on a daily basis and forward weekly to the CATS of the issuance area;*
9. *Retain yellow copies of the UNOV for court testimony purposes until compliance is met or a decision has been rendered by the Court;*
10. *Turn in pink copies of the UNOV to the Precinct Commander or designee on a daily basis for tracking with the Police Department;*
11. *Issue gold copies of the UNOV to the recipient (owner/occupant) who is in violation; and,*
12. *Forward requests for additional UNOV forms to the CAPS office.*

B. CAPS officers shall:

1. *Follow-up all issued UNOVs in regards to vehicles;*
2. *Take the necessary follow-up steps for the towing of vehicles and the issuance of any summonses to the affected land owner;*
3. *Enter violation information on the UNOV Tracking Sheet upon receipt of the white copies of the UNOV;*
4. *Deliver PD-52 to the City Department of Community Development's unit secretary on a daily basis, as assigned;*
5. *Enter disposition on the UNOV Tracking Sheet on receipt of the yellow copies of the UNOV;*
6. *In the event that the yellow sheet is not received after the scheduled compliance date:*
 - a. *Generate a UNOV follow-up letter to the subject officer, if the subject officer fails to respond;*

- b. *If no response is received, generate a UNOV follow-up letter and forward to the affected officer's supervisor; and,*
- c. *Notify the OIC of CAPS of all actions taken.*

7. *Make UNOV forms available to the Precincts as needed; and,*

8. *Issue all blank UNOV forms in serial numbered lots to the Precincts.*

C. CAPS Supervisor or designee shall:

Deliver PD-52 to the City Department of Community Development's unit secretary on a daily basis or assign this task to a CAPS officer.

D. Precinct Supervisors shall:

1. *Issue the UNOV forms to the assigned individual officers; and,*

2. *Forward requests for additional UNOV forms to the CAPS office.*

VI. FORMS

A. PD-52, Narcotics Information Sheet

B. Uniform Notice of Violation (UNOV) forms